

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

United States of America)	Cr. No. 01-828-HMH
)	
vs.)	OPINION & ORDER
)	
Brian Wright,)	
)	
Movant.)	

This matter is before the court on Brian Wright’s (“Wright”) pro se “motion for court reporter’s verbatim sentencing transcript’s at governments expense.” (Mot. for Sentencing Tr. 1.) This court construes pro se motions liberally and such pro se motions are held to a less stringent standard than those drafted by attorneys. See Gordon v. Leeke, 574 F.2d 1147, 1151 (4th Cir. 1978). However, even if the court applies this less stringent standard, Wright’s request for a sentencing transcript at the government’s expense cannot be granted. A prisoner who requests free copies of records in his or her criminal case, whether it is a state case or a federal case, must show a particularized need for such records. Jones v. Superintendent, Virginia State Farm, 460 F.2d 150, 152-153 (4th Cir. 1972), reh’g granted, 465 F.2d 1091, 1094 (4th Cir. 1972) (adhering to prior opinion and denying rehearing en banc); Morin v. United States, 522 F.2d 8, 9 (4th Cir. 1975) (applying Jones to federal prisoner). Wright has not shown a particularized need for the sentencing transcript. Accordingly, Wright’s motion for a copy of his sentencing transcript at the government’s expense is denied.

It is therefore

ORDERED that Wright's "motion for court reporter's verbatim sentencing transcript's at governments expense" is denied.

IT IS SO ORDERED.

s Henry M. Herlong, Jr.
United States District Judge

Greenville, South Carolina
November 21, 2005

NOTICE OF RIGHT TO APPEAL

Movant is hereby notified that he has the right to appeal this order within sixty (60) days from the date hereof, pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.